

Remarks

Claims 29, 34, and 49 were pending for examination. Claim 29 has been amended to clarify the claim language. Claim 34 has been canceled. Claim 49 has been amended to make it an independent claim. New claim 50 has been added. The list of non-NMDA antagonists in claim 50 is found in the specification in the sentence bridging pages 16-17. No new matter has been added.

Rejections Under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claim 29 under 35 U.S.C. § 112, first paragraph, as lacking an adequate written description in the specification. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 29 has been amended to recite specifically “non-NMDA channel antagonists”. New claim 51 recites specific compounds provided in the specification. Applicant asserts that the specification provides a recitation of a representative number of non-NMDA channel antagonists that is sufficient, in view of the knowledge of the skilled artisan of the recognized class of non-NMDA channel antagonists, to provide an adequate written description of the claims as amended.


Accordingly, Applicant’s specification provides an adequate written description of claims 29 and 51 as presently presented. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph therefore is requested.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and reasoned statements made above. If the Examiner wishes to expedite the prosecution, or if the amendment is defective or unclear, then the Examiner is invited to telephone the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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